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**UNITED STATES DISTRICT COURT
DISTRICT OF OREGON
EUGENE DIVISION**

ASHLEY SCHROEDER, KENDALL CLARK,
HALLI FIELDS, NATASHA GEORGE, JOSIE
GRIFFITHS, JADE BERNAL, DAHLIA
MCALLISTER, PRESLEY MCCASKILL,
ABIGAIL PLEVIN, VALERIE PETERSON, ELLA
TYUS, SIULOLOVAO FOLAU, ALEX LAITA,
BATIA ROTSHEIN, ZOE ALMANZA,
BEATRICE WETTON, MIA LOPEZ, DELANEY
HOPEN, CARLY WALLACE, SAVANNAH
SIEGRIST, ANASTASIA LIMA, MADELYN
LAFOLLETTE, ALEXANDRA HADEN, JOSIE
COLE, ALAINA THOMAS, VIVIAN DONOVAN,
ELISE HAVERLAND, RIVER RIBEIRO, SOPHIA
SCHMITZ, SYDNEY WEDDLE, CLAIRE
DALEY and ANNA MARIA KNIGHT,
Individually and on behalf of all those similarly
situated,

Plaintiffs,

v.

UNIVERSITY OF OREGON,

Defendant.

Case No.: 6:23-cv-01806-MC

**PLAINTIFF'S FIRST REQUEST
FOR PRODUCTION OF
DOCUMENTS TO DEFENDANT**

Plaintiffs, by and through their attorneys, serve these requests for production of documents on defendant pursuant to FRCP 34. Plaintiffs request that the documents be produced on or before 30 days from the date of service of these requests, to the offices of Bailey & Glasser, LLP, 1055 Thomas Jefferson Street NW, Suite 540, Washington, DC 20007 and Johnson Johnson Lucas & Middleton, PC, 975 Oak Street, Suite 1050, Eugene, Oregon 97401. Plaintiff requests that the documents be produced via an ESI

INSTRUCTIONS

1. This request extends beyond documents within defendant's possession to include documents within defendant's custody or control, or the custody or control of defendant's agents and representatives, and may require defendant's lawyers to seek and obtain the specifically requested documents. The document is deemed to be in the possession, custody or control of defendant if it is in the physical custody of defendant, or if it is in the physical custody of any other person and defendant (a) owns such documents in whole or in part; (2) has a right to use, inspect, examine or copy such document on any terms; (c) has any understanding, express or implied, that defendant may use, inspect, examine or copy such document on any terms; or (d) has, as a practical matter, been able to use, inspect, examine or copy such document. This includes documents in the possession or control of defendant's attorneys or their investigators, or in the possession of defendant's advisors, agents, investigators, accountants, consultants, or associates for the past or present.

2. This request is continuing throughout the pendency of this action, and any additional documents responsive to this request for production should be produced as soon as they come within the possession, custody or control of defendant or its agents and representatives.

3. As to any document you fail to produce, state the location where such document can be found, the name of the possessor, when such documents left your possession or control and the reasons why you cannot produce such document. As to any document over which you assert a privilege, identify the document by describing it so as to provide sufficient information to determine whether the asserted privilege applies.

4. Unless otherwise indicated, all requests are unlimited as to time.

5. Defendant shall comply with each request unless, before the time specified, defendant serves objections to a request with a statement of reasons for each objection.

DEFINITIONS

1. The word “documents” shall be construed in the broadest sense allowable under the rules of civil procedure and other applicable law. “Documents” includes electronically stored information, including writings, drawings, graphs, charts, photos, audio and video recordings, images, data or data compilations, emails, text messages, social media postings, website postings, calendars and calendar entries, meeting notices, handwritten notes, voice messages, diaries or journals, photographs, and all drafts.

2. “Defendant” means the University of Oregon (UO), its lawyers, accountants, investigators, agents, representatives, and employees, and all persons acting or purporting to act on its behalf.

3. “Title IX” in these requests refers to 20 U.S.C. § 1681 *et seq.*, and 34 C.F.R. Part 106, requiring institutions to provide women and men with equal athletic treatment and benefits, equal athletic financial aid, and equal opportunities participate in varsity intercollegiate athletics. “Title IX” in these requests DOES NOT refer to sexual harassment (*i.e.* unwelcome sexual advances, requests for sexual favors, and other verbal, nonverbal, or physical conduct of a sexual nature).

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REQUESTS FOR PRODUCTION

REQUEST NO. 1 Produce the official squad lists, separated by sport and gender, from the 2016-17 academic year to the current academic year for all varsity sports at UO.

RESPONSE:

REQUEST NO. 2 Produce the time-hour limitation reports (Countable Athletic Related Activities reports), separated by sport and gender, from the 2016-17 academic year to the current academic year for all varsity sports at UO in an Excel Spreadsheet. Plaintiffs request that CARA data be exported to show individual student-athlete activity. For example, if every member of a team attended a team meeting, Plaintiffs request the CARA data be exported to list the names of every student-athlete in attendance.

RESPONSE:

REQUEST NO. 3 Produce official competition data from the 2016-17 academic year to the current academic year for all varsity sports at UO (*i.e.*, the date, location, and participants in every competition for each varsity sport).

RESPONSE:

REQUEST NO. 4 Produce all documents, including from any meetings between UO Athletic Department administration or meeting with UO athletic administration and coaches, in which allocation or granting of athletic financial aid (including all scholarships, summer aid, stipends, and/or waivers granted to out-of-state/non-resident students to permit them to pay the in-state/resident tuition rates) for varsity sports were addressed, discussed, or decided from the 2016-17 academic year to the current academic year.

RESPONSE:

REQUEST NO. 5 Produce all documents reflecting projected or planned athletic financial aid (including all scholarships, summer aid, stipends, and/or waivers granted to out-of-state/non-resident students to permit them to pay the in-state/resident tuition rates) for any or all varsity teams from the 2016-17 academic year to the current academic year.

RESPONSE:

REQUEST NO. 6 Produce all documents reflecting scheduling facilities for varsity sports teams for practice, competition, team meetings, or weight training from the 2014-15 academic year to the current academic year.

RESPONSE:

REQUEST NO. 7 Produce all practice schedules for the men's and women's teams at UO, separated by sport and gender, including the time of day the practice is held, length, and practice location, during the team's competitive season and in the off-season, from the 2014-15 academic year to the current academic year.

RESPONSE:

REQUEST NO. 8 Produce all documents used by UO's Athletics to determine the full-time undergraduate enrollment data at UO broken down by gender from the 2016-17 academic year to the current academic year.

RESPONSE:

REQUEST NO. 9 Produce all documents used by UO's Athletics in assessing UO's official Title IX participation counts from the 2016-17 academic year to the current academic year.

RESPONSE:

REQUEST NO. 10 Produce all questionnaires and surveys related to varsity and/or club athletics sent to students, prospective students, coaches, or athletic administrators at UO, including all responses to such questionnaires and surveys and any analyses or synthesis of the results, from the 2013-14 academic year to the current academic year.

RESPONSE:

REQUEST NO. 11 Produce all documents reflecting budgets and actual expenditures for varsity sports and the Athletic Department at UO, separated by sport and gender, from the 2013-14 academic year to the current academic year.

RESPONSE:

REQUEST NO. 12 Produce all non-privileged documents sent to or received from any Title IX or equity consultants or experts regarding UO's varsity and club athletic participation, from the 2016-17 academic year to the current academic year.

RESPONSE:

REQUEST NO. 13 Produce all non-privileged documents sent to or received from any Title IX or equity consultants or experts regarding UO's varsity athletic treatment and benefits from the 2014-15 academic year to the current academic year.

RESPONSE:

REQUEST NO. 14 Produce all non-privileged documents sent to or received from any Title IX or equity consultants or experts regarding UO's varsity athletic financial aid (including all scholarships, summer aid, stipends, and/or waivers granted to out-of-state/non-resident students to permit them to pay the in-state/resident tuition rates) from the 2016-17 academic year to the current academic year.

RESPONSE:

REQUEST NO. 15 Produce all non-privileged documents sent by UO to outside entities or individuals regarding the University's varsity and club sport athletic participation from the 2016-17 academic year to the current academic year.

RESPONSE:

REQUEST NO. 16 Produce all non-privileged documents sent by UO to outside entities or individuals regarding the University's varsity athletic treatment and benefits from the 2014-15 academic year to the current academic year.

RESPONSE:

REQUEST NO. 17 Produce all non-privileged documents sent by UO to outside entities or individuals regarding the University's varsity athletic financial aid (including all scholarships, summer aid, stipends, and/or waivers granted to out-of-state/non-resident students to permit them to pay the in-state/resident tuition rates) from the 2016-17 academic year to the current academic year.

RESPONSE:

REQUEST NO. 18 Produce all documents reflecting the athletic financial aid (including all scholarships, summer aid, stipends, and/or waivers granted to out-of-state/non-resident students to permit them to pay in-state/resident tuition rates) awarded to female varsity student-athletes at UO since the 2016-17 academic year.

RESPONSE:

REQUEST NO. 19 Produce all documents reflecting the athletic financial aid (including all scholarships, summer aid, stipends, and/or waivers granted to out-of-state/non-resident students to permit them to pay in-state/resident tuition rates) awarded to male varsity student-athletes at UO since the 2016-17 academic year.

RESPONSE:

REQUEST NO. 20 Produce all documents reflecting *Alston* stipends awarded to female varsity student-athletes at UO since the 2020-21 academic year.

RESPONSE:

REQUEST NO. 21 Produce all documents reflecting *Alston* stipends awarded to male varsity student-athletes at UO since the 2020-21 academic year.

RESPONSE:

REQUEST NO. 22 Produce documents maintained for the purpose of educating staff and students regarding UO's compliance with Title IX, including, but not limited to, all policies, guidelines, standard operating procedures, and trainings, from the 2013-14 academic year to the current academic year.

RESPONSE:

REQUEST NO. 23 Produce all documents evidencing the quality, amount, suitability, availability, and maintenance and replacement of athletic equipment, uniforms, and gear provided to UO's varsity teams from the 2014-15 academic year to the current academic year.

RESPONSE:

REQUEST NO. 24 Produce all documents evidencing the quality and availability of the facilities provided for or used for UO varsity team practices and competitive events, the exclusivity of the use of the facilities provided for UO varsity team practices and competitive events, the availability and quality of locker rooms for UO varsity teams, the distance from locker rooms to the practice and competitive facilities, the availability and quality weight and conditioning facilities for UO varsity teams, the maintenance of these practice and competitive facilities, and the preparation of facilities for UO varsity team practices and competitive events from the 2014-15 academic year to the current academic year.

RESPONSE:

REQUEST NO. 25 Produce all documents evidencing the travel and accommodations provided for student-athletes at UO for competitions or any UO-sponsored events including the number of athletes assigned to each room, the method of travel, the location used for overnight stays while away from UO and the names of hotels used for overnight stays) from the 2014-15 academic year to the current academic year.

RESPONSE:

REQUEST NO. 26 Produce all documents evidencing per diems provided to student-athletes at UO for competitions or UO sponsored events from the 2014-15 academic year to the current academic year.

RESPONSE:

REQUEST NO. 27 Produce all communications between UO athletic administration and varsity sport coaches regarding team transportation arrangements for practices at facilities off-campus and away competitions (away meaning competitions hosted by or at a university other than UO) from the 2014-15 academic year to the current academic year.

RESPONSE:

REQUEST NO. 28 Produce all documents evidencing the hiring, retention, compensation, allocation, and/or termination of coaching staff (head coaches, assistant coaches, graduate assistant coaches, etc.) for all varsity sports from the 2014-15 academic year to the current academic year.

RESPONSE:

REQUEST NO. 29 Produce all documents related to the hiring, retention, compensation, allocation, and/or termination of support staff (trainers, medical staff, tutors, etc.) for all varsity sports from the 2014-15 academic year to the current academic year.

RESPONSE:

REQUEST NO. 30 Produce all documents evidencing the availability of medical personnel for varsity teams, the availability and quality of training facilities for varsity teams, and the availability and qualifications of the athletic trainers assigned to each varsity team from the

2014-15 academic year to the current academic year, including but not limited to any policies governing the number of trainers working with each team, when they attend practices, and the hours of their availability.

RESPONSE:

REQUEST NO. 31 Produce all documents evidencing the availability and quality of sport information personnel for each varsity team; the quality and quality of publications and promotional devices featuring men's and women's varsity athletic programs, and any other UO publicity provided for each varsity sport (and/or its members), separated by sport and gender, from the 2014-15 academic year to the current academic year.

RESPONSE:

REQUEST NO. 32 Produce all documents related to Name, Image, and Likeness support provided to varsity student-athletes at UO, including but not limited to communications between coaches and students or prospective students, separated out by athlete, sport, and gender, from the 2020-21 academic year to the current academic year.

RESPONSE:

REQUEST NO. 33 Produce all documents concerning the relationship between Division Street and the University of Oregon.

RESPONSE:

REQUEST NO. 34 Produce all communications between UO employees and Division Street from the 2020-21 academic year to the current academic year.

RESPONSE:

REQUEST NO. 35 Produce all recruiting budgets and expenditures for varsity teams at UO from the 2014-15 academic year to the current academic year.

RESPONSE:

REQUEST NO. 36 Produce all documents related to facility creation, rental, maintenance, updates, or improvements for all varsity athletic facilities or facilities that varsity athletes use in connection with their varsity sport at UO from the 2014-15 academic year to the current academic year.

RESPONSE:

REQUEST NO. 37 Produce detailed plans of all facilities used by varsity athletes at UO, separated by sport and gender, from the 2014-15 academic year to the current academic year, including amenities (*i.e.*, number of lockers, toilets, showers, lockable storage areas for student belongings, etc.) in each facility.

RESPONSE:

REQUEST NO. 38 Produce all documents evidencing athletic equipment storage for all varsity sports from the 2014-15 academic year to the current academic year.

RESPONSE:

REQUEST NO. 39 Produce all documents that you may use to support your defenses in this matter, including all documents you plan to use at trial.

RESPONSE:

REQUEST NO. 40 Produce all documents from the 2014-15 academic year to the current academic year regarding any interviews of or communications between UO administration and UO coaches, athletes, or staff, related to Title IX compliance at UO.

RESPONSE:

REQUEST NO. 41 Produce all documents and communications, from August 1, 2023, to present, between coaches, student-athletes, staff, administrators, or Board of Trustee members related to the present litigation.

RESPONSE:

REQUEST NO. 42 Produce all documents and communications, from August 1, 2023, to present, between Division Street and UO coaches, student-athletes, staff, administrators, or Board of Trustee members related to the present litigation.

RESPONSE:

REQUEST NO. 43 Produce all documents and communications between UO athletic department administration and students regarding complaints or concerns with Title IX athletic compliance issues and/or gender equity from the 2016-17 academic year to the present.

RESPONSE:

REQUEST NO. 44 Produce all communications or documents related to complaints made about any head coaches of varsity teams at UO from the 2016-17 academic year to the current academic year.

RESPONSE:

REQUEST NO. 45 Produce all documents relating to projecting squad sizes for each sport at UO from the 2016-17 academic year to the current academic year.

RESPONSE:

REQUEST NO. 46 Produce all communications with UO coaches relating to varsity teams' squad sizes and projected squad sizes from the 2016-17 academic year to the current academic year.

RESPONSE:

REQUEST NO. 47 Produce all documents, including from UO Athletic Department meetings, wherein athletic participation numbers for varsity sports were discussed or decided from the 2016-17 academic year to the current academic year.

RESPONSE:

REQUEST NO. 48 Produce all documents relating to the decision to create the Beach Volleyball team in 2014.

RESPONSE:

REQUEST NO. 49 Produce all documents identified or used to respond to Plaintiffs' Interrogatories to UO.

RESPONSE:

REQUEST NO. 50 Produce all documents concerning UO's discussion of and planning for a beach volleyball practice and/or competition facility.

RESPONSE:

REQUEST NO. 51 Produce all records related to the UO's arrangement for a "separate portable toilet" that UO supplies at the Amazon Park beach volleyball courts, including dates when the toilet has been there.

RESPONSE:

REQUEST NO. 52 Produce all budget documents from 2014 to the present related to the "Women in Flight" program, including but not limited to documents indicating funds raised annually and how all funds were spent each year.

RESPONSE:

REQUEST NO. 53 Produce all communications between Valerie Johnson and Jason Dillard or any other member of the Athletic Department regarding UO's Title IX compliance.

RESPONSE:

REQUEST NO. 54 Produce all documents relating to any request for or consideration of elevating women's rowing to a varsity sport, at any time from 1972 to the present.

RESPONSE:

REQUEST NO. 55 Produce all documents relating to any request for or consideration of elevating any women's sport other than beach volleyball or rowing to a varsity sport from the 2010—when UO's club rowing coach Carly Schmidt raised awareness of the disadvantages the women's rowing team faced because they were not a varsity sport—to the present.

RESPONSE:

REQUEST NO. 56 Produce all athletic interest surveys, including drafts, sent to current or prospective students from the 2016-17 academic year to the current academic year.

RESPONSE:

REQUEST NO. 57 Produce all responses to any athletic interest surveys sent to current or prospective students from the 2016-17 academic year to the current academic year.

RESPONSE:

REQUEST NO. 58 Produce all documents from any meetings between UO Athletic Department administrators, coaches, University administration, and/or Board of Trustee members discussing adding varsity athletic opportunities for female students from the 2016-17 academic year to the current academic year.

RESPONSE:

REQUEST NO. 59 Produce all documents evidencing any evaluation UO performed regarding student athletic ability and available competition for any sport not currently offered by UO at the varsity level from the 2016-17 academic year to the current academic year.

RESPONSE:

REQUEST NO. 60 Produce all documents evidencing student participation in UO club sports at UO from the 2016-17 academic year to the current academic year.

RESPONSE:

REQUEST NO. 61 Produce all documents evidencing any support (financial, administrative, insurance, medical, training, tutoring, travel, scheduling, housing, equipment, gear, etc.) UO provides to club sports from the 2016-17 academic year to the current academic year.

REQUEST NO. 62 Produce all documents evidencing dues paid by student members of club teams to be a member of the club team from the 2016-17 academic year to the current academic year.

RESPONSE:

REQUEST NO. 63 Produce all communications between UO Athletic Department staff and UO Club Sports staff regarding student participation in club sports or adding a varsity sport from the 2016-17 academic year to the current academic year.

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RESPONSE:

Dated: April 26, 2024

Respectfully submitted,

s/Jennifer J. Middleton

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Attorneys for Plaintiffs

CERTIFICATE OF SERVICE

I certify that on April 26, 2024, a true copy of the **PLAINTIFFS' FIRST REQUEST FOR PRODUCTION TO UNIVERSITY OF OREGON** was served as indicated below:

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